

## **REMARKS**

Claims 1, 3-23, 25-69, and 71-111 were presented for examination and pending in this application. In the latest Office Action, claims 1, 3-23, 25-69, and 71-111 were rejected. Claim 25, the specification, and the drawings were also objected to. With this amendment, claims 1, 23, and 25 are amended. On the basis of the amendments and following remarks, consideration of this application and the early allowance of all pending claims are requested.

### **I. Objections**

In response to the objections to the drawings, Applicants submit herewith marked-up drawings amended in accordance with the examiner's suggestions.

In the specification, the Cross Reference to Related Applications has been amended to reflect the serial number of the related application. In addition, the specification has been amended to correct the element label for the RBDS, in accordance with the examiner's suggestions. Claim 25 has also been amended to depend from claim 23, in response to the examiner's objection that claim 25 depends from itself.

### **II. Claim Rejections – 35 U.S.C. § 112, second paragraph**

The examiner rejected claim 1 (and its dependent claims by inherency) as indefinite. In making the rejection, the examiner noted that the specification shows that the plurality of message receivers is used by the services attendants, not just by the selected primary service attendant. Accordingly, claim 1 has been amended to recite, "a plurality of message receivers, used by the service attendants, the primary service attendant using a message receiver to receive the message from the communication system." It is noted that nothing in the amended claims or

the specification requires a strict one-to-one relationship between service attendants and message receivers, as a service attendant may use multiple message receivers, or multiple service attendants could share a message receiver.

The examiner similarly rejected claim 23 (and its dependent claims by inherency) as indefinite. As with claim 1, claim 23 has been amended to overcome the examiner's rejection by reciting, "a plurality of message receiving means, used by the service attendants, the primary service attendant using a message receiving means for receiving the message from the messaging means."

### **III. Claim Rejections – 35 U.S.C. § 103**

The examiner rejected all pending claims under 35 U.S.C. § 103 as unpatentable over Patterson in view of Boushy. Applicants respectfully traverse this rejection on the grounds that (1) the proposed combination does not disclose or suggest the claimed invention, and (2) the proposed combination is improper. In addition, Applicants thank the examiner for the interview held on March 28, 2003, during which this obviousness rejection was discussed.

#### **A. Patterson in view of Boushy does not disclose or suggest the claimed invention**

The proposed combination of Patterson and Boushy does not disclose or suggest *each and every* limitation presented in the pending claims. MPEP § 2143.03. The claimed invention is directed at automating the servicing of customers at service locations. For example, claim 1 recites a system that selects a primary service attendant to provide service for a customer at a service location. The system then communicates a message to the selected primary service attendant, where "the message indicat[es] the service location at which the event is to be serviced." This allows the selected service attendant to provide customer service to a patron *at the service location* identified in the message.

The claimed invention thus improves the customer service experience over conventional service approaches. For example, in a casino environment, the claimed invention enables a system that would more efficiently service a customer who wins a jackpot at a slot machine. Presently, when a patron wins a jackpot, the associated slot machine produces visual and/or audible cues to indicate that the customer needs service – i.e., that the jackpot be paid out to the customer. Given the amount of activity on a casino floor, this method of identifying customer that need service can be unreliable, haphazard, slow, and unsatisfactory to the customer, who may sit for many minutes waiting for a service attendant while unable to continue playing. It can be appreciated that similar problems exist for providing service to patrons in other environments. The claimed invention improves the customer service experience by selecting a service attendant to service the event, and communicating to the selected service attendant a message that indicates at which service location the service is to be provided.

As discussed during the examiner interview, Patterson is unlike the present invention because it is not directed to providing service to customers at service locations. Rather, Patterson describes a system for transferring market orders and quote requests to a floor broker on the floor of a financial exchange. (Patterson, col. 1, lines 5-8.) In Patterson, there are no customers at service locations who need to be served. As a result, although Patterson's system transmits messages to brokers on the floor of a financial exchange, these messages do not "indicat[e] the service location at which the event is to be serviced," as claimed. Indeed, there would be no need for such information in Patterson's system, since Patterson does not provide service to customers at service locations.

Similarly, the combination of Boushy with Patterson fails to disclose or suggest the claimed invention. The examiner cited Boushy for its disclosure that the service locations are

gaming machines, as well as other limitations associated with gaming machines and customer valuation. However, as explained above, there is no disclosure in Boushy of selecting a service attendant to provide service to customers at service locations. Therefore, Boushy's disclosure that service locations can be gaming machines is immaterial, as Boushy also fails to disclose or suggest communicating to a selected service attendant a message "indicating the service location at which the event is to be serviced."

Therefore, neither cited reference nor their combination discloses or suggests (1) selecting a service attendant to service an event, that event pertaining to a service event for a customer at a service location; or (2) communicating a message to the selected service attendant, the message indicating the service location at which the event is to be serviced.

B. Patterson cannot be combined with Boushy in the manner proposed

Merely because two references *can* be combined or that the combination is feasible within the skill in the art does not render the resulting combination obvious. MPEP §§ 2141, 2143.01. In the present case, a person having ordinary skill in the art would not be motivated to combine Patterson with Boushy as proposed by the examiner.

As discussed during the interview, the invention improves the customer experience at various service locations by scheduling specific attendants to respond to service events for customers at those locations. Because Patterson does not address the problem of providing service to customers at service locations, it does not suggest the possibility or desirability of modifying its messaging system in the manner suggested by the examiner.

Conversely, Boushy fails to disclose the possibility or desirability of applying a modified version of Patterson's two-way pager system to assign service attendants to provide service to customers at service locations. In Boushy, customers are given access to various physical

instrumentalities (such as a telephone, a light, or a lockable cabinet) based on a determination of their customer worth. This is substantively different from the present invention, which selects a specific service attendant and orders that attendant to give service to a specific service location. There is no suggestion in Boushy that it would be desirable to have such decisioning and communication systems to perform these functions, since Boushy does not perform those functions.

Accordingly, a person of ordinary skill in the art would not be motivated to turn to either Patterson or Boushy when considering the other.

#### IV. Conclusion

It is believed that the application is in condition for allowance of all claims, and therefore an early Notice of Allowance is respectfully requested. If the Examiner believes that for any reason direct contact with Applicants' representative would help advance the prosecution of this case to allowance, the Examiner is encouraged to telephone the undersigned at the number given below.

Respectfully submitted,  
MARK C. PACE & THOMAS W. COOK

Dated: 4/1/03

By: Robert A. Hulse

Robert A. Hulse, Reg. No. 48,473  
Attorney for Applicant  
Fenwick & West LLP  
801 California Street  
Mountain View, CA 94041  
Tel.: (415) 875-2444  
Fax: (415) 281-1350